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<p align="center"><b>TRANSMITTAL FORM</b></p> <p align="center">(to be used for all correspondence after initial filing)</p> <p>Total Number of Pages In This Submission: <b>13</b></p>	Application Number	10/036,677
	Filing Date	December 21, 2001
	First Named Inventor	Scott Swix
	Art Unit	2611
	Examiner Name	Bui, Kieu Oanh T.
	Attorney Docket Number	BS01421

**ENCLOSURES**


(Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Cited Reference
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Name (Print/Type)	Bambi Faivre Walters	Reg. No.:	45,197
Signature			
Date	January 26, 2005		

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PTO/SB/17 (12-04v2)

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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2005**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**Complete if Known**

Application Number	10/036,677
Filing Date	December 21, 2001
First Named Inventor	Scott Swix
Examiner Name	Bui, Kieu Oanh T.
Art Unit	2611
Attorney Docket No.	BS01421

**METHOD OF PAYMENT (check all that apply)**

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): IDS - 37 CFR 1.97(b)(3)

\$180.00

**SUBMITTED BY**

Signature	Registration No. (Attorney/Agent) 45,197	Telephone 757-253-5729
Name (Print/Type) Bambl Faivre Walters		Date January 26, 2005

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re application of:** Scott Swix, et al.**Group Art Unit:** 2611**Application No.:** 10/036,677**Examiner:** Bui, Kieu Oanh T.**Filed:** December 21, 2001**Title:** "Method and System for Managing Timed Responses to A/V Events in Television Programming"**VIA FACSIMILE 703-872-9306****Attn:** Examiner Bui, Kieu Oanh T.**RECEIVED  
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**INFORMATION DISCLOSURE STATEMENT**

Pursuant to 37 CFR §§1.56, 1.97, and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached Forms PTO 1449 (pp. 1-7).

This Information Disclosure Statement is being submitted after the mailing of a first Office Action in this application and therefore, the certification fee is believed to be required (37 CFR § 1.97b(3)).

01/28/2005 BBONNER 00000015 10036677

01 FC:1806

100.00 OP

It is respectfully requested that the references listed on the attached forms be expressly considered by the Examiner and be made of record in the application and appear among the "References Cited" on any patent to issue therefrom.

Respectfully submitted,



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Date: 1/26/05

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STATEMENT BY APPLICANT**

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Sheet

1

of

7

**Complete If Known**

Application Number	10/036,877
Filing Date	December 21, 2001
First Named Inventor	Scott R. Swix et al.
Group Art Unit	2611
Examiner Name	Bui, Kieu Oanh T.
Attorney Docket Number	BS01421

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No.¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code² (if known)			
		US- 3,798,610		Blies et al.	03-19-1974	
		US- 3,886,302		Kosco	05-27-1975	
		US- 4,130,833		Chomet	12-19-1978	
		US- 4,256,386		Cheung	03-24-1981	
		US- 4,361,851		Asip et al.	11-30-1982	
		US- 4,488,179		Kruger et al.	12-11-1984	
		US- 4,566,030		Nickerson et al.	01-21-1986	
		US- 4,567,591		Gray et al.	02-26-1986	
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		US- 5,010,586		Garcia	04-23-1991	
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		US- 5,724,525		Beyers II et al.	03-1998	
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STATEMENT BY APPLICANT**

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Sheet 2 Of 7

**Complete If Known**

Application Number	10/036,677
Filing Date	December 21, 2001
First Named Inventor	Scott R. Swix et al.
Group Art Unit	2611
Examiner Name	Bui, Kieu Oahn T.
Attorney Docket Number	BS01421

**U.S. PATENT DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
		US- 6,818,438 B1		Howe et al.	10-06-1998	
		US- 6,892,608 B1		Howe et al.	04-06-1999	
		US- 6,015,344		Kelly et al.	01-18-2000	
		US- 6,076,094 B1		Cohen et al.	06-13-2000	
		US- 6,134,631		Trewitt et al.	10-2000	
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		US- 6,530,082 B1		Del Sesto et al.	03-2002	

**FOREIGN PATENT DOCUMENTS**

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
			EP 1162840 A2		Wilson et al.	12-2001		

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		PCT Publication No. WO 94/17809 (Kiehl et al., 08-04-1994)	
		CAULEY, LESLIE, "Microsoft, Baby Bell Form Video Alliance," <u>The Wall Street Journal</u> , September 26, 1994.	
		U.S. Application No. 2002/0032906 A1 (Grossman, 03-2002)	
		U.S. Application No. 2002/0035600 A1 (Ullman et al., 03-2002)	
		U.S. Application No. 2002/0092019 A1 (Dwight, 07-11-2002)	
		U.S. Application No. 2002/0123928 A1 (Eldering et al., 09-2002)	
		U.S. Application No. 2002/0143847 A1 (Headings et al., 10-2002)	
		U.S. Application No. 2003/0049987 A1 (Kinzo et al., 03-13-2003)	
		U.S. Application No. 2003/0110497 A1 (Yassin et al., 06-2003)	
		International Search Report for PCT /US02/40070 A1	

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	10/036,677
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		First Named Inventor	Scott R. Swix et al.
		Group Art Unit	2611
		Examiner Name	Bul, Kleu Oahn T.
		Attorney Docket Number	BS01421
Sheet	3	Of	7

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"allNetDevices: - Report: Interactive TV Soon to Become Direct Marketing Tool," allNetDevices, <a href="http://www.devices.intanet.com/cgm.cgi/print/print.cgi?url=http://devices.intanet.com/report_interactive.html">www.devices.intanet.com/cgm.cgi/print/print.cgi?url=http://devices.intanet.com/report_interactive.html</a> , (11/16/01) pp.1-2.	
		"Liberate Technologies – Solutions," Digital Cable Two-Way, <a href="http://www.solutions.liberate.com/architecture/dc2.html">www.solutions.liberate.com/architecture/dc2.html</a> , (11/16/01) p. 1 of 1.	
		"Liberate Technologies – Solutions," Digital Broadband Telco, <a href="http://www.solutions.liberate.com/architecture/db.html">www.solutions.liberate.com/architecture/db.html</a> , (11/16/01) p. 1 of 1.	
		"Liberate Technologies – Solutions," Liberate Connect Suite, <a href="http://www.solutions.liberate.com/products/connect_suite.html">www.solutions.liberate.com/products/connect_suite.html</a> , (11/16/01) pp. 1-2.	
		"Liberate Technologies – Solutions," Liberate Imprint Server™, <a href="http://www.solutions.liberate.com/products/imprint_server.html">www.solutions.liberate.com/products/imprint_server.html</a> , (11/16/01) p. 1 of 1.	
		"Liberate Technologies – Solutions," Liberate Mediacast Server™, <a href="http://www.solutions.liberate.com/products/mediacast_server.html">www.solutions.liberate.com/products/mediacast_server.html</a> , (11/16/01) pp.1-2.	
		"Spike High Performance Server Array," Mixed Signals Technologies, Inc., <a href="http://www.mixedsignals.com">www.mixedsignals.com</a> , <a href="mailto:lvinfo@mixedsignals.com">lvinfo@mixedsignals.com</a> (2000) p. 1.	
		"power, flexibility, and control," RespondTV, <a href="http://www.respondtv.com/whyrespond.html">www.respondtv.com/whyrespond.html</a> , (11/16/01) pp. 1-2.	
		"It just clicks," RespondTV, <a href="http://www.respondtv.com/fraction.html">www.respondtv.com/fraction.html</a> , (11/16/01) pp.1-2.	
		"The Wink System," Wink System Diagram, <a href="http://www.wink.com/contents/tech_diagram.html">www.wink.com/contents/tech_diagram.html</a> , (11/16/01) p. 1 of 1.	
		"What is Wink?," <a href="http://www.wink.com/contents/whatiswink.html">www.wink.com/contents/whatiswink.html</a> , (11/16/01) p. 1 of 1.	
		"How Wink Works," What is Wink: How wink works, <a href="http://www.wink.com/contents/howitworks.html">www.wink.com/contents/howitworks.html</a> , (11/16/01) p. 1 of 1.	

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Sheet 14 of 17

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		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,948,061	9/7/1999	Merriman et al.	
		US- 5,794,210	8/11/1998	Goldhaber et al.	
		US- 5,724,521	3-1998	Dedrick	
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		US- 6,477,704	11-2002	Cremia	
		US- 5,389,964	2-1995	Oberle	
		US- 6,002,393	12-1999	Hite	
		US- 4,912,552	3-1990	Allison	
		US- 6,446,261	9-2002	Rosser	
		US- 5,848,396	12-1998	Gerace	
		US- 5,948,061	9-1999	Merriman	
		US- 6,100,916	8-2000	August	
		US- 6,314,577	11/6/2001	Pocock	
		US- 5,892,508	4/6/1999	Howe	
		US- 5,818,438	10/6/1998	Howe	
		US- 6,076,094	6/13/2000	Cohen	
		US- 6,172,674	1/9/2001	Etheridge	

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		Country Code <sup>4</sup> -Number <sup>5</sup> -Kind Code <sup>6</sup> (if known)				
		WO 99 52285A	10/14/1999			
		WO 99 04561A	1/28/1999			
		WO 99 45702A	9/10/1999			
		EP 0 424 648A	2/2/1991			
		EP 1162840 A2	12-2001	Wilson		

Examiner  
SignatureDate  
Considered

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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT** (Use as many sheets as necessary)

Sheet **5** of **17****Complete if Known**

Application Number	10/036,677
Filing Date	December 21, 2001
First Named Inventor	Scott Swix
Art Unit	2611
Examiner Name	Bul, Kleu Oanh T.
Attorney Docket Number	BS01421

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
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		US- 5,861,906	1-1999	Dunn	
		US- 5,973,683	10-1999	Cragun	

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Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (If known)	MM-DD-YYYY			

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of 7

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
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		US- 6,314,568	11-2001	Ochiai	
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		US-			

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of

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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		www.actv.com, Screen Print, 10/8/2000	
		"ACTV, Inc. Offers Exclusive Preview of 'Individualized Television' at Official All-Star Cafe," Business Wire, Sept. 16, 1998.	
		"ACTV's HyperTV & 'Individualized Television' to be Powered by Sun Microsystems' JavaTV Technology," Business Wire, Apr. 21, 1999.	
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		Dickson, Glen, "Digital TV gets specifically directed," Broadcasting & Cable, June 5, 2000.	
		Reed, David, "The future is digital," Precision Marketing, v. 13, n.51, pg.. 27, Sept. 21, 2001.	

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